IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY SIXTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 8865 of 2005

Between:

1 Smt. T. Sukumamba Kumari W/o. T. Bala Rangaiah
H.No. 101, MIG-1, APHB, Nandyal.
2 Smt. Y. Padmavathi W/o. M. Satyanarayana
H.No. 198, MIG-II, APHB, Nandyal.
3 Sri V.G.V. Narasimham S/o. V. Sreenivas Murhty
H.No. 183, MIG-II, APHB, Nandyal.
4 Sri B.N. Rajasekhara Reddy S/o. B. Subba Reddy
H.No. 185, MIG-II, APHB, Nandyal.
5 Sri K. Seshaiah S/o. K. Ankamma
H.No. 75, MIG-II, APHB, Nandyal.
6 G. Subba Reddy S/o. G. Venkata Subba reddy
H.No. 199, MIG-II, APHB, Nandyal.
7 N. Veera Reddy S/o. N. Narayana Reddy
H.No. 205, MIG-II, APHB, Nandyal.
8 H. Chandrasekhara Rao S/o. H. Suryanarayana Rao
H.No. 100, MIG-I, APHB, Nandyal.
9 Smt. Y. Laxmi Devi
H.No. 194, MIG-II, APHB, Nandyal.
10 Smt. N. Rama Devi
H.No. 9, HIG-III, APHB, Nandyal.
11 K. Sreenivas Reddy S/o. K. Chinnapu Reddy
H.No. 95, MIG-I, APHB, Nandyal.
12 T. Gurrappa S/o. T. Pullanna
H.No. 72, MIG-II, APHB, Nandyal.
13 S. Narayana Reddy
H.No. 21, HIG-III, APHB, Nandyal.
14 Smt. R.V. Ramasubbamma W/o. R. Sivashankar Reddy
H.No. 125, MIG-II, APHB, Nandyal.
15 Smt. A. Subbamma,
H.No. 121, MIG-II, APHB, Nandyal.
16 Smt. G. Subbalakshmamma W/o. G. Subba Reddy
H.No. 187, MIG-II, APHB, Nandyal.

..... PETITIONERS

AND

1 The Vice - Chairman & Managing Director, APHB, Gruhakalpa, Hyderabad.
2 Ex. Engineer (Housing) APHB, Kurnool Region, Kurnool,.
3 The Assistant Engineer (Housing) APHB, Nandyal, Kurnool District,
4 The Competent Authority, Kurnool Division, Abbas Nagar, Kurnool .

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue writ or direction more particularly one in the nature of writ of Mandamus declaring that the action of the respondents in issuing memo dt. 28-2-2005 asking the petitioners to pay the entire amount along with penal interest and damages as illegal, arbitrary, and violative of Article 14, 21 , 300A of Constitution of India and consequently direct the respondents to accept the remaining balance of amount on onetime payment without insisting for penal interest and register the house in favour of the petitioners and pass such other order or orders as this Honourable Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner : MR. K.SRINIVASA REDDY

Counsel for the Respondents : Sri D.Ranganatha Kumar

The Court at the stage of admission made the following :

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THE HON'BLE MS. JUSTICE G.ROHINI

WRIT PETITION NO.8865 OF 2005

ORDER :

Heard the learned Counsel for the petitioners as well as Sri D.Ranganath Kumar,

the learned Standing Counsel appearing for the respondents.

Since an alternative remedy of Appeal is available against the impugned order dated 28-02-2005, the writ petition is disposed of granting leave and liberty to the petitioner to work out the remedy of Appeal. It is made clear that if any such appeal together with application for stay is preferred by the petitioners within a period of 10 days from today, the same shall be entertained and shall be disposed of according to law. Till the disposal of the application for stay in the Appeal, it is made clear that the impugned order dated 28-2-2005 shall not be given effect to.

The Writ Petition is accordingly disposed of. No costs.

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26th April, 2005.

Note:- CC by 28-4-2005.

(B/O)

gbs

To

1 The Vice - Chairman & Managing Director, APHB, Gruhakalpa, Hyderabad.
2 The Ex. Engineer (Housing) APHB, Kurnool Region, Kurnool,.
3 The Assistant Engineer (Housing) APHB, Nandyal, Kurnool District,
4 The Competent Authority, Kurnool Division, Abbas Nagar, Kurnool .

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